AND COMPANY AFFAIRS be pleased to state :

(a) what is the ratio in which the District Judges/Additional District Judges in J & K are appointed by promotion vis-a-vis by direct recruitment from the Bar;

(b) what is the total number of posts of the cadre of District/Additional District Judges who have been appointed by direct recruitment from the Bar so far; and

(c) what is the number of District/Additional District Judges required to be appointed from the bar to give the direct recruits their share under rules and when the Government do so ?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARMANGALAM) : (a) to (c) The information is collected and will be laid on the Table of the House.

Functions, composition and decisions of Company Law Board

575. SHRI H. HANUMANTHAPPA : Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) what are the functions of the Company Law Board;

(b) what are the names of members of the board and how they were appointed; and

(c) what are the main decisions of the board during 1991-92 ?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARMANGALAM) : (a) Company Law Board is a quasi-judicial authority constituted under Section 10E of the Companies Act, 1956, exercising judicial and quasi-judicial powers statutorily conferred on it by the Act.

(b) The following are the Members of the Company Law Board :

Shri S.P. Upasani	Chairman
Shri A.M. Chakraborti	Member
Shri C.R. Mehta	Member
Shri K.K. Dhar	Member
Shri S. Balasubramaniam	Member
Shri A.R. Ramanathan	Member

Members of the Board were appointed by the Central Government in terms of sub-section (2)/(2A) of section 10E of the Act.

(c) During 1991-92, the Company Law Board Benches have disposed off 14,553 cases of which 12,024 cases relate to repayment of public deposits, 653 cases relate to alteration of Memorandum of Association of Companies, 522 cases relate to disputes regarding share transfers and 80 petitions relate to oppression and mismanagement.

Failure to appoint cost auditors

576. SHRI H. HANUMANTHAPPA :
CHOWDHARY RAM SEWAK :

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) what is the number of cases in which Government could not appoint Cost Auditors during the last three years;

(b) whether the companies did not apply or their requests were not processed; and

(c) what steps have been taken to look into the whole matter ?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARMANGALAM) : (a) After issue of Cost Audit Orders, Companies apply to the Central

Government for approving the appointment of Cost Auditors. The Central Government approves such appointment if all the requirements are complied with. The number of cases Government could not appoint Cost Auditors is as under :

Year	No. of cases
1987-88	9
1988-89	61
1989-90	75

(b) and (c) In all these cases companies did not apply for appointment of Cost Auditors. Such cases have already been referred to Registrar of Companies for initiating action against the defaulting companies.

Action taken on Cost Audit Reports

577. SHRI H. HANUMANTHAPPA :
SHRI RAJNI RANJAN SAHU :
CHOWDHARY RAM SEWAK :

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state :

(a) what action has been taken by Government on the Cost Audit Reports received during the last three years;

(b) what are the details of the findings of Government; and

(c) what steps Government propose to take to draw up an action plan on the basis of the report ?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARMANGALAM) : (a) and (b) Cost Audit Reports received during the last three years have been reviewed in the Ministry of Law, Justice and Company Affairs in terms of the requirements of the Companies Act, 1956 and Cost Audit Report Rules, 1968. A copy each of the Cost Report has been made available to the Bureau of Industrial Costs and Prices and the concerned Administrative Ministries for remedial action. A statement giving findings of the reports is annexed.(*See below*).

(c) These cases have been referred to concerned Administrative Ministries for corrective action. Government is also making a reference to the MRTP Commission for taking action under the Law.

Statement

The names of Companies which may be making undue profits or misutilising the imports based on review of Cost Audit reports during 1991-92

Sl. No.	Name of the Companies	Products	Concerned Ministry	Date of Communication
(1)	(2)	(3)	(4)	(5)
I.	*Cases of Excessive Profits :*			
	A. *Cement Industry* :			
	1. M/s. Shree Cements Ltd. 2. M/s. Madras Cements Ltd. 3. M/s. Jai Prakash Industries Ltd. 4. M/s. Sagar Cements Ltd. 5. M/s. Saurashtra Cements and Chemicals Limited 6. M/s. A.C.C. Ltd.	Cement	Ministry of Industry	24-12-1991